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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

LARRY BRADFORD,

Civ. No. 09-6062-CL

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

ORDER

Defendant.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). When either party objects to any portion of a Magistrate Judge's Report and Recommendation, the district court makes a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981).

Here, defendant objects to the Report and Recommendation, so

I have reviewed this matter de novo. I agree with Magistrate Judge Clarke's conclusion that the ALJ made legal errors requiring reversal and remand for further proceedings. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#36) is adopted. Pursuant to sentence four of 42 U.S.C. § 405(g), the decision of the Commissioner is reversed and remanded for further proceedings consistent with the Report and Recommendation.

IT IS SO ORDERED.

DATED this 25 day of January, 2010.



OWEN M. PANNER
U.S. DISTRICT JUDGE